



General Assembly

January Session, 2003

***Raised Bill No. 900***

LCO No. 3000

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING COURT OPERATIONS AND TECHNICAL  
REVISIONS TO CERTAIN STATUTES PERTAINING TO THE JUDICIAL  
BRANCH.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4b-13 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) The Commissioner of Public Works may make regulations for  
4 the maintenance of order on and the use of parking areas on any  
5 property owned by the state or under the supervision of said  
6 commissioner, except as provided in sections 2-71h, 10a-79, 10a-92 and  
7 10a-139 and except for properties under the supervision, care and  
8 control of the Chief Court Administrator. Any person violating any  
9 such regulation shall be fined not more than seventy-five dollars and  
10 the vehicle in violation of such regulation may be towed. The  
11 enforcement of such regulations shall be by special policemen  
12 appointed under section 29-18 and by Department of Public Works  
13 buildings and grounds patrol officers, except that only such special  
14 policemen may tow, or cause the towing of, such vehicles.

15     (b) The Chief Court Administrator may establish policies and  
16     procedures for the maintenance of order and the use of parking areas  
17     on any property under the supervision, care and control of the Chief  
18     Court Administrator. Such policies and procedures may provide that  
19     any vehicle parked on such property in violation of such policies and  
20     procedures shall be towed.

21     [(b)] (c) Each state agency shall develop a program to encourage its  
22     employees to use mass transportation. Such program shall address the  
23     feasibility of restricting the amount of free parking by at least ten per  
24     cent for those state employees who work in urban areas and for  
25     providing such employees with subsidies to ride mass transportation.  
26     Each state agency shall submit its program to the Department of Public  
27     Works. [no later than January 1, 1992.] For the purposes of this  
28     [section] subsection, "state agency" means each state department, office  
29     or other agency of the state; and "urban area" means any town or city  
30     having a population of seventy-five thousand or more or any town or  
31     city in which one hundred or more state employees are employed at  
32     the same site. The Secretary of the Office of Policy and Management, in  
33     consultation with the Commissioner of Public Works, shall adopt  
34     regulations, in accordance with the provisions of chapter 54, after  
35     receipt of and pursuant to each state agency's plan to determine the  
36     amount and process by which a state employee may obtain a subsidy.

37     Sec. 2. Subsection (a) of section 6-32d of the general statutes is  
38     repealed and the following is substituted in lieu thereof (*Effective*  
39     *October 1, 2003*):

40     (a) Except as otherwise agreed between the [advisory board] judicial  
41     branch and the Department of Correction or other appropriate agency,  
42     [as of April 12, 2000,] the responsibility for transportation and custody  
43     of prisoners shall be assumed as follows:

44     (1) The [Judicial Department] judicial branch shall be responsible for  
45     the transportation of male prisoners between courthouses and: (A)  
46     Community correction centers, until sentencing; (B) other places of

47 confinement after arraignment and until sentencing; and (C) the place  
48 of initial confinement, after sentencing. In addition, the [Judicial  
49 Department] judicial branch shall be responsible for the transportation  
50 of adult female prisoners between courthouses and community  
51 correction centers, not including the correctional institution at Niantic.  
52 If such transportation is in other than state vehicles, the owner of the  
53 vehicle used shall be reimbursed by the state at the rate then  
54 established for state employees within the Office of Policy and  
55 Management.

56 (2) The Department of Correction shall be responsible for the  
57 transportation of adult female prisoners between places of  
58 confinement and either courthouses or community correction centers,  
59 at the discretion of the Commissioner of Correction. In the  
60 transportation of prisoners between courthouses and community  
61 correctional centers, there shall be complete separation of male and  
62 female prisoners.

63 (3) The [Judicial Department] judicial branch shall be responsible for  
64 the custody of prisoners at courthouses, except that the local police  
65 operating any lockup which is designated by the Chief Court  
66 Administrator as a courthouse lockup shall be responsible for the  
67 custody of prisoners within that lockup. In addition, if such designated  
68 lockup is not in the same building as the courthouse serviced by it, the  
69 local police operating such designated lockup shall be responsible for  
70 escorting prisoners from the lockup to the courthouse. The town in  
71 which such a designated lockup is located shall be reimbursed  
72 pursuant to section 7-135a.

73 (4) In Hartford County, the Lafayette Street courthouse shall be  
74 used as housing for persons arrested by the police department of the  
75 city of Hartford and held for presentment at the next session of the  
76 court pursuant to the following terms and conditions: (A) No arrestees  
77 shall be admitted or released directly to or from the lockup, and no  
78 social visits shall be permitted at the lockup; (B) all processing and

79 booking shall be accomplished by the police department of the city of  
80 Hartford at its booking facility; (C) after arrival at the lockup and prior  
81 to arraignment, the release of any arrestee, with or without bond, shall  
82 be accomplished by the police department of the city of Hartford from  
83 its booking facility; and (D) the [Judicial Department] judicial branch  
84 shall be responsible for the operation of the lockup at the Lafayette  
85 Street courthouse and the transportation of arrestees prior to  
86 arraignment from the Morgan Street facility or other booking facility of  
87 the police department of the city of Hartford.

88 Sec. 3. Subsection (b) of section 15-133c of the general statutes is  
89 repealed and the following is substituted in lieu thereof (*Effective*  
90 *October 1, 2003*):

91 (b) [A certified copy] Notice of a conviction for a violation of section  
92 15-133 or 15-134 shall be [sent within] given no later than thirty days  
93 [of] after such conviction to the Commissioner of Environmental  
94 Protection without charge by the clerk of the court [wherein] in which  
95 such conviction has been [had] rendered.

96 Sec. 4. Subsection (e) of section 46b-15 of the general statutes is  
97 repealed and the following is substituted in lieu thereof (*Effective*  
98 *October 1, 2003*):

99 (e) The applicant shall cause notice of the hearing pursuant to  
100 subsection (b) of this section and a copy of the application and the  
101 applicant's affidavit and of any ex parte order issued pursuant to  
102 subsection (b) of this section to be served on the respondent not less  
103 than five days before the hearing. The cost of such service shall be paid  
104 for by the judicial branch. Upon the granting of an ex parte order, the  
105 clerk of the court shall provide two certified copies of the order to the  
106 applicant. Upon the granting of an order after notice and hearing, the  
107 clerk of the court shall provide two certified copies of the order to the  
108 applicant and a copy to the respondent. Every order of the court made  
109 in accordance with this section after notice and hearing shall contain  
110 the following language: "This court had jurisdiction over the parties

111 and the subject matter when it issued this protection order.  
112 Respondent was afforded both notice and opportunity to be heard in  
113 the hearing that gave rise to this order. Pursuant to the Violence  
114 Against Women Act of 1994, 18 USC 2265, this order is valid and  
115 enforceable in all fifty states, any territory or possession of the United  
116 States, the District of Columbia, the Commonwealth of Puerto Rico  
117 and tribal lands." Immediately after making service on the respondent,  
118 the [state marshal] proper officer shall provide a true and attested copy  
119 of any ex parte order, including the applicant's affidavit and a cover  
120 sheet stating the date and time the respondent was served, to the law  
121 enforcement agency for the town in which the applicant resides. If the  
122 respondent does not reside in such town, the [state marshal] proper  
123 officer shall immediately transmit by facsimile a true and attested copy  
124 of the order, including the applicant's affidavit, to the law enforcement  
125 agency for the town in which the respondent resides. The clerk of the  
126 court shall send, by facsimile or other means, a copy of any ex parte  
127 order and of any order after notice and hearing, or the information  
128 contained in any such order, to the law enforcement agency for the  
129 town in which the applicant resides and, if the respondent resides in a  
130 town different than the town in which the applicant resides, to the law  
131 enforcement agency for the town in which the respondent resides,  
132 within forty-eight hours of the issuance of such order. If the applicant  
133 is employed in a town different than the town in which the applicant  
134 resides, the clerk of the court shall send, by facsimile or other means, a  
135 copy of any such order, or the information contained in any such  
136 order, to the law enforcement agency for the town in which the  
137 applicant is employed within forty-eight hours of the issuance of such  
138 order. If the applicant is employed in a town different than the town in  
139 which the applicant resides, or in which the respondent resides, the  
140 [state marshal] proper officer shall transmit by facsimile a true and  
141 attested copy of any such order, including the applicant's affidavit, to  
142 the law enforcement agency for the town in which the applicant is  
143 employed.

144 Sec. 5. Subsection (e) of section 46b-38c of the general statutes is

145 repealed and the following is substituted in lieu thereof (*Effective*  
146 *October 1, 2003*):

147 (e) A protective order issued under this section may include  
148 provisions necessary to protect the victim from threats, harassment,  
149 injury or intimidation by the defendant, including, but not limited to,  
150 an order enjoining the defendant from (1) imposing any restraint upon  
151 the person or liberty of the victim, (2) threatening, harassing,  
152 assaulting, molesting or sexually assaulting the victim, or (3) entering  
153 the family dwelling or the dwelling of the victim. Such order shall be  
154 made a condition of the bail or release of the defendant and shall  
155 contain the following language: "In accordance with section 53a-223,  
156 any violation of this order constitutes criminal violation of a protective  
157 order which is punishable by a term of imprisonment of not more than  
158 five years, a fine of not more than five thousand dollars, or both.  
159 Additionally, in accordance with section 53a-107, entering or  
160 remaining in a building or any other premises in violation of this order  
161 constitutes criminal trespass in the first degree [ These are criminal  
162 offenses each] which is punishable by a term of imprisonment of not  
163 more than one year, a fine of not more than two thousand dollars, or  
164 both. Violation of this order also violates a condition of your bail or  
165 release, and may result in raising the amount of bail or revoking  
166 release." Every order of the court made in accordance with this section  
167 after notice and hearing shall also contain the following language:  
168 "This court had jurisdiction over the parties and the subject matter  
169 when it issued this protection order. Respondent was afforded both  
170 notice and opportunity to be heard in the hearing that gave rise to this  
171 order. Pursuant to the Violence Against Women Act of 1994, 18 USC  
172 2265, this order is valid and enforceable in all fifty states, any territory  
173 or possession of the United States, the District of Columbia, the  
174 Commonwealth of Puerto Rico and tribal lands." The information  
175 contained in and concerning the issuance of any protective order  
176 issued under this section shall be entered in the registry of protective  
177 orders pursuant to section 51-5c.

178 Sec. 6. Section 46b-38h of the general statutes is repealed and the  
179 following is substituted in lieu thereof (*Effective October 1, 2003*):

180 If any person is convicted of a violation of section 53a-59, 53a-59a,  
181 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-  
182 72a, 53a-72b, 53a-181c, 53a-181d, 53a-181e, 53a-223, [or] 53a-223a or  
183 53a-223b, against a family or household member, as defined in section  
184 46b-38a, or a person in a dating relationship, the court shall include a  
185 designation that such conviction involved domestic violence on the  
186 court record for the purposes of criminal history record information, as  
187 defined in subsection (a) of section 54-142g.

188 Sec. 7. Section 46b-122 of the general statutes is repealed and the  
189 following is substituted in lieu thereof (*Effective October 1, 2003*):

190 All matters which are juvenile matters, as defined in section 46b-  
191 121, shall be kept separate and apart from all other business of the  
192 Superior Court as far as is practicable, except matters transferred  
193 under the provisions of section 46b-127, which matters shall be  
194 transferred to the regular criminal docket of [said] the Superior Court.  
195 Any judge hearing a juvenile matter [shall] may, during such hearing,  
196 exclude from the room in which such hearing is held any person  
197 whose presence is, in the court's opinion, not necessary, except that in  
198 delinquency proceedings any victim of the delinquent act, the parents  
199 or guardian of such victim and any victim advocate appointed  
200 pursuant to section 54-221 shall not be excluded unless the judge  
201 specifically orders otherwise.

202 Sec. 8. Section 46b-124 of the general statutes is repealed and the  
203 following is substituted in lieu thereof (*Effective October 1, 2003*):

204 (a) For the purposes of this section:

205 (1) "Juvenile matters" has the same meaning as provided in section  
206 46b-121; and

207 (2) "Records of cases of juvenile matters" includes, but is not limited

208 to, court records, records regarding juveniles maintained by the Court  
 209 Support Services Division, records regarding juveniles maintained by  
 210 an organization or agency that has contracted with the judicial branch  
 211 to provide services to juveniles, records of law enforcement agencies  
 212 including fingerprints, photographs and physical descriptions, and  
 213 medical, psychological, psychiatric and social welfare studies and  
 214 reports by probation officers, public or private institutions, social  
 215 agencies and clinics.

216 [(a)] (b) All records of cases of juvenile matters, [as defined in  
 217 section 46b-121,] except delinquency proceedings, or any part thereof,  
 218 and all records of appeals from probate brought to the superior court  
 219 for juvenile matters pursuant to subsection (b) of section 45a-186,  
 220 [including studies and reports by probation officers, social agencies  
 221 and clinics,] shall be confidential and for the use of the court in  
 222 juvenile matters, and open to inspection or disclosure to any third  
 223 party, including bona fide researchers commissioned by a state agency,  
 224 only upon order of the Superior Court, except that (1) the records  
 225 concerning any matter transferred from a court of probate pursuant to  
 226 section 45a-623 or subsection (g) of section 45a-715 or any appeal from  
 227 probate to the superior court for juvenile matters pursuant to  
 228 subsection (b) of section 45a-186 shall be available to the court of  
 229 probate from which such matter was transferred or from which such  
 230 appeal was taken, (2) such records shall be available to (A) the attorney  
 231 representing the child or youth, including the Division of Public  
 232 Defender Services, in any proceeding in which such records are  
 233 relevant, (B) the parents or guardian of the child or youth until such  
 234 time as the child or youth reaches the age of majority or becomes  
 235 emancipated, (C) an adult adopted person in accordance with the  
 236 provisions of sections 45a-736, 45a-737 and 45a-743 to 45a-757,  
 237 inclusive, (D) employees of the Division of Criminal Justice who in the  
 238 performance of their duties require access to such records, (E)  
 239 employees of the judicial branch who in the performance of their  
 240 duties require access to such records, (F) another court under the  
 241 provisions of subsection (d) of section 46b-115j, (G) the subject of the



242 record, upon submission of satisfactory proof of the subject's identity,  
243 pursuant to guidelines prescribed by the Office of the Chief Court  
244 Administrator, [and] provided the subject has reached the age of  
245 majority or has been emancipated, and (H) the Department of Children  
246 and Families. Any record of cases of juvenile matters, or any part  
247 thereof, [forwarded by said court or any of its employees] provided to  
248 any persons, governmental and private agencies, and institutions [ ]  
249 pursuant to this section shall not be disclosed, directly or indirectly, to  
250 any third party not specified in subsection [(c)] (d) of this section, [save  
251 upon order of said court or] except as provided by court order or in the  
252 report required under section 54-76d or 54-91a.

253 [(b)] (c) All records of cases of juvenile matters involving  
254 delinquency proceedings, or any part thereof, [including court records,  
255 records of law enforcement agencies including fingerprints,  
256 photographs and physical descriptions, and medical, psychological,  
257 psychiatric and social welfare studies and reports by probation  
258 officers, public or private institutions, social agencies and clinics,] shall  
259 be confidential and for the use of the court in juvenile matters and  
260 shall not be disclosed except as provided in this section.

261 [(c)] (d) Records of cases of juvenile matters involving delinquency  
262 proceedings shall be available to (1) [Judicial Department] judicial  
263 branch employees who, in the performance of their duties, require  
264 access to such records, and (2) employees and authorized agents of  
265 state or federal agencies involved in (A) the delinquency proceedings,  
266 (B) the provision of services directly to the child, or (C) the design and  
267 delivery of treatment programs pursuant to section 46b-121j. Such  
268 employees and authorized agents include, but are not limited to, law  
269 enforcement officials, state and federal prosecutorial officials, school  
270 officials in accordance with section 10-233h, court officials including  
271 officials of both the regular criminal docket and the docket for juvenile  
272 matters, officials of the Division of Criminal Justice, the Division of  
273 Public Defender Services, the Department of Children and Families,  
274 the Court Support Services Division, the Board of Parole and agencies

275 under contract with the [Judicial Department] judicial branch, and an  
 276 advocate appointed pursuant to section 54-221 for a victim of a crime  
 277 committed by the child. Such records shall also be available to (i) the  
 278 attorney representing the child, including the Division of Public  
 279 Defender Services, in any proceeding in which such records are  
 280 relevant, (ii) the parents or guardian of the child, until such time as the  
 281 subject of the record reaches the age of majority, (iii) the subject of the  
 282 record, upon submission of satisfactory proof of the subject's identity,  
 283 pursuant to guidelines prescribed by the Office of the Chief Court  
 284 Administrator, [and] provided the subject has reached the age of  
 285 majority, (iv) law enforcement officials and prosecutorial officials  
 286 conducting legitimate criminal investigations, and (v) a state or federal  
 287 agency providing services related to the collection of moneys due or  
 288 funding to support the service needs of eligible juveniles, provided  
 289 such disclosure shall be limited to that information necessary for the  
 290 collection of and application for such moneys. Such records disclosed  
 291 pursuant to this subsection shall not be further disclosed, except that  
 292 information contained in such records may be disclosed in connection  
 293 with bail or sentencing reports in open court during criminal  
 294 proceedings involving the subject of such information.

295 [(d)] (e) The record of the case of a juvenile matter involving  
 296 delinquency proceedings, or any part thereof, may be disclosed upon  
 297 order of the court to any person who has a legitimate interest in the  
 298 information and is identified in such order. Records disclosed  
 299 pursuant to this subsection shall not be further disclosed.

300 [(e)] (f) The record of the case of a juvenile matter involving  
 301 delinquency proceedings, or any part thereof, shall be available to the  
 302 victim of the crime committed by such child to the same extent as the  
 303 record of the case of a defendant in a criminal proceeding in the  
 304 regular criminal docket of the Superior Court is available to a victim of  
 305 the crime committed by such defendant. The court shall designate an  
 306 official from whom such victim may request such information. Records  
 307 disclosed pursuant to this subsection shall not be further disclosed.

308        [(f)] (g) Information concerning a child who has escaped from a  
 309        detention center or from a facility to which he has been committed by  
 310        the court or for whom an arrest warrant has been issued with respect  
 311        to the commission of a felony may be disclosed by law enforcement  
 312        officials.

313        [(g)] (h) Nothing in this section shall be construed to prohibit any  
 314        person employed by the [Judicial Department] judicial branch from  
 315        disclosing any such records, information or files in his possession to  
 316        any person employed by the Division of Criminal Justice as a  
 317        prosecutorial official, inspector or investigator who, in the  
 318        performance of his duties, requests such records, information or files,  
 319        nor shall such employee of said division be prohibited from disclosing  
 320        any records, information or files in his possession to any such  
 321        employee of the [Judicial Department] judicial branch who, in the  
 322        performance of his duties, requests such records, information or files.

323        [(h)] (i) A state's attorney shall disclose to the defendant or his  
 324        counsel in a criminal prosecution, without the necessity of a court  
 325        order, exculpatory information and material contained in any record  
 326        disclosed to such state's attorney pursuant to this section and may  
 327        disclose, without a court order, information and material contained in  
 328        any such record which could be the subject of a disclosure order.

329        Sec. 9. Subsection (a) of section 51-1a of the general statutes is  
 330        repealed and the following is substituted in lieu thereof (*Effective*  
 331        *October 1, 2003*):

332        (a) The Judicial Department of the state shall consist of the Supreme  
 333        Court, the Appellate Court, the Superior Court, [the courts of probate,]  
 334        the Office of the Chief Court Administrator [, the Commission on  
 335        Official Legal Publications] and their employees and divisions, the  
 336        courts of probate, and, as provided in chapter 887, the Public Defender  
 337        Services Commission. For the purposes of the general statutes, "judicial  
 338        branch" means the Judicial Department.

339       Sec. 10. Subsection (b) of section 51-164n of the general statutes is  
340       repealed and the following is substituted in lieu thereof (*Effective*  
341       *October 1, 2003*):

342       (b) Notwithstanding any provision of the general statutes to the  
343       contrary, any person who is alleged to have committed (1) a violation  
344       under the provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-  
345       41, 7-83, 7-283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350,  
346       10-193, 10-197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 [.]  
347       or 12-326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6)  
348       of section 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-  
349       107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-  
350       140, 13a-143b, 13a-247 [.] or 13a-253, subsection (f) of section 13b-42,  
351       section 13b-90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a,  
352       13b-410b [.] or 13b-410c, subsection (a), (b) or (c) of section 13b-412,  
353       section 13b-414, subsection (d) of section 14-12, section 14-20a [.] or 14-  
354       27a, subsection (e) of section 14-34a, subsection (d) of section 14-35,  
355       section 14-43, 14-49, 14-50a [.] or 14-58, subsection (b) of section 14-66,  
356       section 14-66a, 14-66b [.] or 14-67a, subsection (f) of section 14-80h,  
357       section 14-97a, [section] 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-  
358       152, 14-153 [.] or 14-163b, a first violation as specified in subsection (f)  
359       of section 14-164i, section 14-219 as specified in subsection (e) of said  
360       section, section 14-240, 14-249 [.] or 14-250, subsection (a), (b) or (c) of  
361       section 14-261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a,  
362       14-278 [.] or 14-279, subsection (e) of section 14-283, section 14-291, 14-  
363       293b, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 [.] or 14-332a,  
364       subdivision (1), (2) or (3) of section 14-386a, section 15-33, subsection  
365       (a) of section 15-115, section 16-256, 16-256e, 16a-15 [.] or 16a-22,  
366       subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149,  
367       17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137, 17b-407, 17b-451  
368       [.] or 17b-734, subsection (b) of section 17b-736, section 19a-30, 19a-33,  
369       19a-39 [.] or 19a-87, subsection (b) of section 19a-87a, section 19a-91,  
370       19a-105, 19a-107, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287,  
371       19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340,  
372       19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-257, 20-265 [.] or 20-

324e, subsection (a) of section 20-341, section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38, 21-39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 [.] or 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 [.] or 21a-77, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-159, 21a-201, 21a-211, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36, 22-37, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326 [.] or 22-342, subsection (b) or (e) of section 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a [.] or 22a-246, subsection (a) of section 22a-250, subsection (e) of section 22a-256h, section 22a-449, 22a-461, 23-37, 23-38, 23-46 [.] or 23-61b, subsection (a) or (b) of section 23-65, section 25-37, 25-40, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61, 26-64, 26-79, 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138, 26-141, 26-207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-13, 29-6a, 29-109, 29-161a, 29-161b, 29-198, 29-210, 29-243, 29-277, 29-316, 29-318, 29-341, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47, 31-48, 31-51, 31-51k, 31-52, 31-52a [.] or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b [.] or 31-134, subsection [(g)] (i) of section 31-273, section 31-288, 36a-787, 42-230, 45a-450, 45a-634 [.] or 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16 [.] or 53-133, subsection (a) or (b) of section 53-211, or section 53-212a, 53-249a, 53-252, 53-264, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331, 53-344 or 53-450, or (2) a violation under the provisions of chapter 268, or (3) a violation of any regulation adopted in accordance with the provisions of section 12-484, 12-487 or 13b-410, shall follow the procedures set forth in this section.

Sec. 11. Subsection (a) of section 51-247 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2003*):

(a) Each full-time employed juror shall be paid regular wages by

406 [his] the juror's employer for the first five days, or part thereof, of [his  
 407 juror] jury service. Such payment shall be subject to the requirements  
 408 of section 31-71b and any employer who violates this section shall be  
 409 subject to the provisions of sections 31-71g and 31-72. A person shall  
 410 not be considered a full-time employed juror on any day of [juror] jury  
 411 service in which such person (1) would not have accrued regular  
 412 wages to be paid by the employer if such person were not serving as a  
 413 juror on that day, or (2) would not have worked more than one-half of  
 414 a shift which extends into another day if such person were not serving  
 415 as a juror on that day. Each juror not considered a full-time employed  
 416 juror on a particular day of [juror] jury service pursuant to subdivision  
 417 (1) or (2) [above] of this subsection shall be reimbursed by the state for  
 418 necessary out-of-pocket expenses incurred during that day of [juror]  
 419 jury service, provided such day of service is within the first five days,  
 420 or part thereof, of [juror] jury service. Each part-time employed juror  
 421 and unemployed juror shall be reimbursed by the state for necessary  
 422 out-of-pocket expenses incurred during the first five days, or part  
 423 thereof, of [juror] jury service. Necessary out-of-pocket expenses shall  
 424 include, but not be limited to, twenty cents for each mile of travel from  
 425 [his] the juror's place of residence to the place of holding the court and  
 426 return, and shall exclude food. The mileage shall be determined by the  
 427 shortest direct route either by highway or by any regular line of  
 428 conveyance between the points. A reimbursement award under this  
 429 [subdivision] subsection for each day of service shall not be less than  
 430 twenty dollars nor more than fifty dollars. For the purposes of this  
 431 [subdivision, a] subsection, "full-time employed juror" means an  
 432 employee holding a position normally requiring thirty hours or more  
 433 of service in each week, which position is neither temporary nor  
 434 casual, and includes an employee holding a position through a  
 435 temporary help service, as defined in section 31-129, which position  
 436 normally requires thirty hours or more of service in each week, who  
 437 has been working in that position for a period exceeding ninety days,  
 438 and [a] "part-time employed juror" means an employee holding a  
 439 position normally requiring less than thirty hours of service in each

440 week or an employee working on a temporary or casual basis. In the  
441 event that a juror may be considered to be both a full-time employed  
442 juror and a part-time employed juror for any day of the first five days,  
443 or part thereof, of [juror] jury service, such juror shall, for the purposes  
444 of this section, be considered to be a full-time employed juror only.

445 Sec. 12. Section 52-80 of the general statutes is repealed and the  
446 following is substituted in lieu thereof (*Effective October 1, 2003*):

447 If the plaintiff, in any action returned to court and entered in the  
448 docket, does not, on or before the opening of the court on the second  
449 day thereof, appear by himself or attorney to prosecute such action, he  
450 shall be nonsuited, in which case the defendant, if he appears, shall  
451 recover costs from the plaintiff. [The plaintiff may withdraw any  
452 action so returned to and entered in the docket of any court, before the  
453 commencement of a hearing on the merits thereof. After the  
454 commencement of a hearing on an issue of fact in any such action, the  
455 plaintiff may withdraw such action, or any other party thereto may  
456 withdraw any cross complaint or counterclaim filed therein by him,  
457 only by leave of court for cause shown.]

458 Sec. 13. Subsection (a) of section 52-190a of the general statutes is  
459 repealed and the following is substituted in lieu thereof (*Effective*  
460 *October 1, 2003*):

461 (a) No civil action shall be filed to recover damages resulting from  
462 personal injury or wrongful death occurring on or after October 1,  
463 1987, whether in tort or in contract, in which it is alleged that such  
464 injury or death resulted from the negligence of a health care provider,  
465 unless the attorney or party filing the action has made a reasonable  
466 inquiry as permitted by the circumstances to determine that there are  
467 grounds for a good faith belief that there has been negligence in the  
468 care or treatment of the claimant. The complaint or initial pleading  
469 shall contain a certificate [, on a form prescribed by the rules of the  
470 superior court,] of the attorney or party filing the action that such  
471 reasonable inquiry gave rise to a good faith belief that grounds exist

472 for an action against each named defendant. For the purposes of this  
 473 section, such good faith may be shown to exist if the claimant or his  
 474 attorney has received a written opinion, which shall not be subject to  
 475 discovery by any party except for questioning the validity of the  
 476 certificate, of a similar health care provider, as defined in section 52-  
 477 184c, which similar health care provider shall be selected pursuant to  
 478 the provisions of said section, that there appears to be evidence of  
 479 medical negligence. In addition to such written opinion, the court may  
 480 consider other factors with regard to the existence of good faith. If the  
 481 court determines after the completion of discovery, that such certificate  
 482 was not made in good faith and that no justiciable issue was presented  
 483 against a health care provider that fully cooperated in providing  
 484 informal discovery, the court upon motion or upon its own initiative,  
 485 shall impose upon the person who signed such certificate, a  
 486 represented party or both, an appropriate sanction, which may include  
 487 an order to pay to the other party or parties the amount of the  
 488 reasonable expenses incurred because of the filing of the pleading,  
 489 motion or other paper, including a reasonable attorney's fee. The court  
 490 may also submit the matter to the appropriate authority for  
 491 disciplinary review of the attorney if the claimant's attorney submitted  
 492 the certificate.

493 Sec. 14. Section 54-86e of the general statutes is repealed and the  
 494 following is substituted in lieu thereof (*Effective October 1, 2003*):

495 The name and address of the victim of a sexual assault under  
 496 section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a, or injury or  
 497 risk of injury, or impairing of morals under section 53-21, or of an  
 498 attempt thereof, shall be confidential and shall be disclosed only upon  
 499 order of the Superior Court, except that (1) such information shall be  
 500 available to the accused in the same manner and time as such  
 501 information is available to persons accused of other criminal offenses,  
 502 (2) such information shall be available to judicial branch employees in  
 503 accordance with policies and procedures adopted by the Chief Court  
 504 Administrator, and ~~[(2)]~~ (3) if a protective order is issued in a



505 prosecution under any of said sections, the name and address of the  
 506 victim, in addition to the information contained in and concerning the  
 507 issuance of such order, shall be entered in the registry of protective  
 508 orders pursuant to section 51-5c.

509 Sec. 15. (*Effective October 1, 2003*) Sections 52-82, 54-123b and 54-123c  
 510 of the general statutes are repealed.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>
Sec. 4	<i>October 1, 2003</i>
Sec. 5	<i>October 1, 2003</i>
Sec. 6	<i>October 1, 2003</i>
Sec. 7	<i>October 1, 2003</i>
Sec. 8	<i>October 1, 2003</i>
Sec. 9	<i>October 1, 2003</i>
Sec. 10	<i>October 1, 2003</i>
Sec. 11	<i>October 1, 2003</i>
Sec. 12	<i>October 1, 2003</i>
Sec. 13	<i>October 1, 2003</i>
Sec. 14	<i>October 1, 2003</i>
Sec. 15	<i>October 1, 2003</i>

***Statement of Purpose:***

To clarify the term "judicial branch"; to give the judicial branch explicit authority to tow unauthorized vehicles from property under its control; to replace an obsolete reference to the "advisory board" with a reference to the "judicial branch"; to allow the judicial branch to notify the Department of Environmental Protection of certain boating convictions electronically; to conform certain domestic violence statutes to current law; to allow, rather than require, judges presiding over juvenile matters to exclude certain parties from the courtroom; to clarify that certain juvenile records are confidential; to repeal statutory provisions regarding withdrawal of lawsuits in order that Superior Court rules shall govern such withdrawals; to provide for Labor Department enforcement of current statutes requiring compensation of jurors; to eliminate obsolete language regarding certificates in medical

malpractice cases; to clarify that judicial branch employees have access to the name and address of victims of sexual assault to the extent necessary for such employees to perform their duties; and to make various technical changes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*